

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

H. BRUCE BOAL and SCOTT LEE BOAL
A Partnership d/b/a BOALEECO,

Plaintiffs,

v.

FLEETBOSTON FINANCIAL CORPORATION
(f/k/a Fleet National Bank),

Defendant.

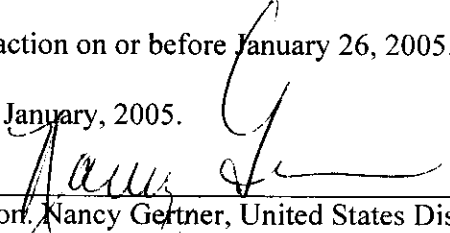
Civil Action No. 04-12634-NG

**ORDER DENYING PLAINTIFFS' MOTION
FOR TEMPORARY RESTRAINING ORDER**

Upon consideration of plaintiffs' Motion for Temporary Restraining Order and/or for a Preliminary Injunction [Docket No. 3], defendant's Opposition thereto and all supporting papers, as well as oral argument by counsel for the parties held on January 19, 2005, it is HEREBY ORDERED THAT:

- (1) Plaintiffs' Motion for Temporary Restraining Order and/or for a Preliminary Injunction is DENIED;
- (2) The Order entered by the Essex County, Massachusetts Superior Court dated December 13, 2004 granting a Temporary Restraining Order in this action (Welch, J.), prior to its removal to this Court, is DISSOLVED; and
- (3) Counsel for the Parties are to confer and jointly submit a proposed Rule 16 pretrial and discovery schedule for this action on or before January 26, 2005.

Dated at Boston, Massachusetts this 21st day of January, 2005.


Hon. Nancy Gertner, United States District Judge